THE STATE OF TEXAS	§	
	§	**IN RE: LANGUAGE ACCESS PLAN**
COUNTY OF FORT BEND	§	

ORDER ADOPTING

LANGUAGE ACCESS PLAN

On this the 17th day of June, 2020, the Language Access Plan for Fort Bend County, Texas was presented for the approval of the Fort Bend County Court at Law Judges.

It is hereby ORDERED that the attached Language Access Plan is adopted for use in the Fort Bend County Courts of Law.

ACCEPTED AND APPROVED:

Hon. Christopher G. Morales
Fort Bend County Court at Law, #1

Hon. Jeffrey A. McMeans
Fort Bend County Court at Law, #2

Hon. Juli Mathew
Fort Bend County Court at Law, #3

Hon. Toni Wallace
Fort Bend County Court at Law, #4

Teana V. Watson

Hon. Teana Watson
Fort Bend County Court at Law, #5

Hon. Sherman Hatton, Jr.
Fort Bend County Court at Law, #6

FORT BEND COUNTY COURTS AT LAW AND DISTRICT COURTS

LANGUAGE ACCESS PLAN

I. Policy Directive & Legal Basis

This document serves as the Language Access Plan (LAP) for the Fort Bend County Courts at Law and District Courts to provide limited English proficiency (LEP) services that are in compliance with constitutional due process and equal protection requirements, federal statutory and regulatory requirements, including Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq. and 28 C.F.R. § 42.101-42.112), and Texas state constitution, statutes and rules. The Fort Bend County Courts at Law and District Courts will provide meaningful access to all LEP individuals in the form of Language Assistance at no cost, subject to the appropriation of funds by the County.

This LAP demonstrates how the Fort Bend County Courts at Law and District Courts have implemented policies to ensure language assistance is provided to all court users, outlines the responsibilities of providing language access at various levels throughout the court system, and provides a framework for the provisions of timely and reasonable language assistance to LEP persons who have contact with the Courts. Compliance with the LAP will be achieved over time and in consultation with affected stakeholders.

This LAP addresses language assistance services for LEP individuals. Reasonable accommodations for persons who are Deaf or hard of hearing are not addressed in this LAP. Nothing in the LAP requires or shall be construed to require anyone to act contrary to any legal duty, and in the event of a conflict between the LAP and any statute, the statute shall prevail.

II. Definitions

BI	Basic Licensed Interpreter under Texas Government Code §157.101(d)(1)
Bilingual Court Staff	Court Staff who are not employed to provide Language Assistance, who speak both English and a second language, who are not licensed as either basic or master level interpreters
Civil Language Intake Form	The form attached as Exhibit "A"
County	The local government of Fort Bend County with the authority to appropriate funds for Court Operations
Court Operations	Services and programs, other than courtroom proceedings, that are specifically required or ordered by the Court.

Court Staff	Court Coordinator, Court Clerk, Probate Auditor, Bailiff, Court Reporter or any individual assigned or hired by the Court to help with essential court operations
Court Users	Parties to or witnesses in a Civil, Criminal, Juvenile or Probate action
Department of Justice	United States Department of Justice
Interpreter	An individual licensed under Chapter 157 of the Texas Government Code to interpret court proceedings for an individual who can hear but who has no or limited English proficiency, or an individual who is substituted for such a licensed interpreter in accordance with law who has received training in the skills of interpretation and can competently render a message spoken from one language into one or more other languages
"I speak" cards	A form substantially the same as the City of Houston form attached as Exhibit "B"
Judge	Elected Judge, Appointed Associate Judge or Magistrate, or any other presiding judicial officer of the Fort Bend County Courts at Law and District Courts, including specifically or temporarily assigned or designated judges
Justice Center	Fort Bend County Justice Center 1422 Eugene Heimann Circle Richmond, TX 77469
Language Access Training	Information and education for Court Staff in language access resources, policies and procedures.
Language Assistance	Interpretation or translation services
LAD	Language Access Director or Court Interpreter. The LAD's/Court Interpreter's roles and responsibilities are subject to the funding and job responsibilities approved by the County.
LAP	This Language Access Plan
Language Line	Public or commercial service for provision of interpretation services over the telephone or internet

Language Services Outside the Courtroom	Signage located throughout the courthouse directing LEP Individuals to the Information Desk for helpful information for LEP Individuals. "I Speak" cards, language line and translated critical forms that will be kept at the Information Desk or other location as determined by the LAD with input from concerned stakeholders
LEP	Limited English Proficiency
MI	Master Licensed Interpreter under Texas Government Code §157.101(d)(2).
Meaningful Access	Timely and reasonable access to the Courts for LEP individuals.
Request for Language Interpretation Services	The form attached as Exhibit "C"
Sight Translation	The reading of text written in one language by an Interpreter who orally translates it into another language
Translator	An individual who has received training in the skills of translation and can competently render written text from one language into one or more other languages

III. County/Court Need Assessment

According to the 2010 census data, Fort Bend County has nine (9) languages other than English spoken at home by at least one thousand (1,000) Fort Bend County LEP residents. These languages are as follows:

Spanish;
Vietnamese;
Chinese;
Urdu;
Malayalam;
Tagalog;
Gujarati;
Hindi; and
Arabic.

IV. Court Interpreter Program

A. Identifying the Need for an Interpreter

It is imperative to identify LEP individuals as early in the process as possible. Failure to promptly request and identify Language Interpretation Services may cause a delay in court proceedings and court operations. To identify and facilitate communication between LEP individuals and staff, the Courts will use the following resources:

(1) Generally

a. Bilingual Court Staff will assist in identifying LEP individuals. Bilingual Court staff shall not serve as Interpreters.
b. Staff will use "I speak" cards to identify the language spoken by LEP individuals for whom a bilingual speaker is not available.
c. Court Staff will have access to a "language line" to identify the spoken language of an LEP individual who cannot read his or her spoken language.
d. Staff will note LEP individuals with whom they interact on a case.[1]
e. Once the language is known, counsel for the LEP person or, if pro se, the LEP person, shall complete a request for Language Interpretation Services at least 72 hours before any appearance, hearing, or trial at which counsel reasonably anticipates the need for language interpretation in one of the nine languages identified in Section III. Counsel should give fourteen (14) days notice for the need of Language Interpretation Services in any other language. Pro se LEP Individuals shall be informed of the requirement to complete a request for Language Interpretation Services in their native language by use of a Language Line or other means. Absent such notice or request, the Court will exercise its discretion and act in the interest of justice and pursuant to applicable law.
f. Matter(s) may be adjourned/reset at the Court's discretion and in the interest of justice when interpreters cannot be timely located, in accordance with applicable law.

(2) Criminal

Available information regarding LEP arrestees will be provided to the Judge hearing the case, who will make note of the language spoken in the case file.[2]

(3) Civil

When filing a civil matter, Plaintiff(s) shall disclose whether they reasonably anticipate that a party or witnesses will require Language Interpretation Services and the language spoken. All other parties to a suit shall disclose whether they reasonably anticipate that a party or witness will require Language Interpretation Services at the time of appearance in the case.

V. Language Access Resources

The Courts have designated each courts' coordinator as the primary point of contact for all LEP services. All staff will be trained to direct anyone inquiring about LEP services to the

[1] The Notation will be made on a form developed by the LAD for this purpose. A copy of the completed form will be connected to the case file in Odyssey. The notation will include the name of the LEP individual, the LEP individual's connection to the case, the language spoken, and the language assistance services rendered.
[2] The Notation will be made in the Pre-trial assessment form and will include the name of the LEP individual and the language spoken.

Court Staff LEP individuals may contact the Courts' personnel via the phone, in Court, e-mail, or other means.
Court Staff may obtain Language Interpretation Services for LEP individuals by contacting the Language Access Director (LAD) or as otherwise directed by each individual Court.

A. Language Access Director

To the extent practicable, the Courts shall employ a MI to be the LAD for the Courts. The LAD shall:

(1) provide Language Interpretation Services in Spanish during court proceedings;
(2) schedule MI to provide Language Interpretation Services for the Courts; and
(3) develop policies, forms and procedures to effectuate the LAP.

B. Licensed Interpreters Generally

The LAD shall provide a MI in the language spoken by the LEP individual in accordance with Texas law. If there is a MI for the language within 75 miles of the Justice Center, but the MI is unavailable at the time needed for Language Interpretation Services, then the Court may adjourn/reset the proceedings until a MI is available.

If there is no MI within 75 miles of the Justice Center, then the LAD shall provide a BI in the language spoken by the LEP individual. If there is a BI for the language within 75 miles of the Justice Center, but the BI is unavailable at the time needed for Language Interpretation Services, then the Court shall adjourn/reset the proceedings until a BI is available. In this case: (1) the Interpreter shall be qualified by the Court as an expert under the Texas Rules of Evidence; (2) the Interpreter must be at least 18 years of age; (3) the Interpreter may not be a party or an attorney for a party to the proceeding; and (4) the Court shall make a finding that there is no MI within 75 miles who can interpret in the language that is necessary in a proceeding.

If there is neither a MI nor a BI within 75 miles of the Justice Center in the language spoken by the LEP individual to provide in person interpretation, then the LAD shall use its best efforts to locate a MI or BI for the provision of remote interpretation services over the telephone or by video. If a MI or BI is not available remotely, the LAD shall use its best efforts to locate an Interpreter who is competent to provide Language Interpretation Services to the LEP individual either in person or through a Language Line. The Court shall make reasonable inquiry to assure that such Interpreter is competent to provide Language Interpretation Services. In addition: (1) the Interpreter shall be qualified by the Court as an Expert under the Texas Rules of Evidence; (2) the Interpreter must be at least 18 years of age; (3) the Interpreter may not be a party or an attorney for a party to the proceeding; and (4) the Court shall make a finding that there is no MI or BI within 75 miles who can interpret in the language that is necessary in a proceeding.

If a Litigant or witness requests to provide his or her own Interpreter at his or her own cost, after being made aware that an Interpreter will be made available at no cost to the litigant or witness, then the Court shall make reasonable inquiry to assure that such Interpreter is competent to provide Language Interpretation Services in compliance with both Federal and Texas law. The Interpreter must be a MI, unless no MI is available within 75 miles of

the Justice Center. In that case, the Interpreter must be a BI, unless no BI is available within 75 miles of the Justice Center. In that case, the Court shall make reasonable inquiry to assure that such Interpreter is competent to provide Language Interpretation Services. In addition: (1) the Interpreter shall be qualified by the Court as an Expert under the Texas Rules of Evidence; (2) the Interpreter must be at least 18 years of age; (3) the Interpreter may not be a party or an attorney for a party to the proceeding; and (4) the Court shall make a finding that there is no Interpreter within 75 miles who can interpret in the language that is necessary in a proceeding.

It is inappropriate for court staff to request that an LEP person use a family member or an attorney in the case as an Interpreter. However, in the unusual and limited circumstance in which an LEP individual has rejected the Court Provided Interpreter and has not provided one of his/her own, then an attorney who does not represent a party may be used as an Interpreter provided that procedure outlined above for using a non- MI or BI is used.

C. Written Language

The Courts will utilize Court Staff and other resources to assist in the process of translating key forms, FAQs, and parts of the Courts' homepage intended for the general public, into the languages most commonly spoken in Fort Bend County. These translations will be located on the Courts' website. The LAD will assist in coordinating and prioritizing translation of forms.

Interpreters at court hearings are expected to provide sight translations of court documents and correspondence associated with the case.

VI. Education and Training

The LAD is responsible for conducting on-going education for Court Staff and other stake-holders on state and federal requirements for providing Language Interpretation Services and best practices for working with interpreters. The LAD will:

i. Provide training for current Court Staff to make them aware of the LAP;
ii. Conduct new employee orientation training on Language Interpretation Services for employees that interact with the public;
iii. Provide training to any individual or organization that is deemed essential to Language Interpretation Services in Fort Bend County; and
iv. Provide periodic training sessions to refresh the foregoing.

VII. Complaint Process

Any individual who wants to report; (1) requested interpreter services not being provided; or (2) a language barrier (such as poor quality interpreting) identified when interacting with Court Staff or Interpreters shall complete the Complaint Form attached as Exhibit "D" and deliver the completed form to the LAD. The LAD shall develop policies and procedures to investigate complaints.

VIII. Public Notification & Evaluation of LAP

A. Public Notification

The Courts shall provide notice of the availability of Language Interpretation Services at no cost to LEP individuals by the following methods, to the extent they are available:

i. Posting on the Fort Bend County website;
ii. Posting at points of entry into the Justice Center;
iii. Materials at the Information Desk at the entry into the Justice Center;
iv. Notification of local Bar Associations; and
v. Notification of statewide LEP-related advocacy groups and other community based organizations.

The notices described in sections i, ii, and iii will be translated into the languages referenced in Section III.

B. Evaluation of LAP

The LAD will routinely review the LAP for any required modifications resulting from changes to federal or state laws, demographic shifts, or operating procedures. If appropriate, the LAP may be revised to reflect public comments and suggestions. The initial review of the LAP will be on or before September 30, 2020, with subsequent reviews every four years, unless the LAD or the Fort Bend County Courts at Law or District Courts choose to deviate from this schedule.

C. LAP Effective Date

When Adopted.

D. Approved By:

On June 17, 2020, the following Judges Approved the Fort Bend County Courts at Law and District Courts Language Access Plan.

Hon. Christopher G. Morales
Fort Bend County Court at Law, #1

Hon. Jeffrey A. McMeans
Fort Bend County Court at Law, #2

Hon. Juli Mathew
Fort Bend County Court at Law, #3

Hon. Toni Wallace
Fort Bend County Court at Law, #4

Teana V. Watson

Hon. Teana Watson
Fort Bend County Court at Law, #5

Hon. Sherman Hatton, Jr.
Fort Bend County Court at Law, #6

Hon. Frank J. Fraley
240th Judicial District Court

Hon. O'Neil Williams
268th Judicial District Court

Hon. Walter Armatys
328th Judicial District Court

Hon. Brenda G. Mullinix
387th Judicial District Court

Hon. Maggie Perez-Jaramillo
400th Judicial District Court

Hon. James H. Shoemake
434th Judicial District Court

Hon. Robert L. Rolnick
458th Judicial District Court

Hon. David S. Perwin
505th Judicial District Court

Cause No. _____

CIVIL LANGUAGE INTAKE FORM

Plaintiff anticipates that either a party or witness in the case will need an interpreter at one or more hearings or at trial in the following languages:

1._____

2._____

3._____

4._____

EXHIBIT "A"

iSPEAKHOUSTON

EXHIBIT "B"

Houston's Language Access Solution

LANGUAGE IDENTIFICATION GUIDE

How to Use This Card

Use this card to identify the foreign language spoken by non-English speakers. Show the card to the individual and ask them to point to the language they speak. Call 311 or 713-837-0311 and ask the operator to connect you to the Language Line for telephonic interpretation services. **For more information: www.ispeakhouston.org**

أنا أتحدث اللغة العربية
I speak Arabic

Ես խոսում եմ հայերեն
I speak Armenian

আমী বাংলা কথা বোলতে পারী
I speak Bengali

Ja govorim bosanski
I speak Bosnian

Аз говоря български
I speak Bulgarian

ကျွန်တော်/ကျွန်မ မြန်မာ လို ပြောတတ် ပါတယ်။
I speak Burmese

ខ្ញុំនិយាយភាសាខ្មែរ
I speak Cambodian

我講廣東話 (Traditional)
我讲广东话 (Simplified)
I speak Cantonese

Parlo català
I speak Catalan

Govorim hrvatski
I speak Croatian

من دری حرف می زنم
I speak Dari

Mluvím česky
I speak Czech

Ik spreek het Nederlands
I speak Dutch

من فارسی صحبت می کنم
I speak Farsi

Je parle français
I speak French

Ich spreche Deutsch
I speak German

Μιλώ τα ελληνικά
I speak Greek

હું ગુજરાતી બોલુ છુ
I speak Gujarati

M pale kreyòl ayisyen
I speak Haitian Creole

אני מדבר עברית
I speak Hebrew

मैं हिंदी बोलता हूँ ।
I speak Hindi

Kuv has lug Moob
I speak Hmong

Beszélek magyarul
I speak Hungarian

Agsaonak ti Ilokano
I speak Ilocano

Parlo italiano
I speak Italian

私は日本語を話す
I speak Japanese

Quin chagüic´ká chábal´ ruin´ rí tzújon cakchiquel
I speak Kackchiquel

한국어 합니다
I speak Korean

man Kurdii zaanim
I speak Kurdish

man Kurmaanjii zaanim
I speak Kurmanci

ຂອ້ຍປາກພາສາລາວ
I speak Laotian

Es runâju latviski
I speak Latvian

Aš kalbu lietuviškai
I speak Lithuanian

我講國語 (Traditional)
我讲国语/普通话 (Simplified)
I speak Mandarin

Bán chiyola tuj kíyol mam
I speak Mam

ဘဲ ပဒိ ဘာသာ ပြော
I speak Mon

Jeg snakker norsk
I speak Norwegian

من فارسی صحبت می کنم.
I speak Persian

Mówię po polsku
I speak Polish

Eu falo português do Brasil
(for Brazil)

Eu falo português de Portugal
(for Portugal)

I speak Portuguese

ਮੈਂ ਪੰਜਾਬੀ ਬੋਲਦਾ/ਬੋਲਦੀ ਹਾਂ।
I speak Punjabi

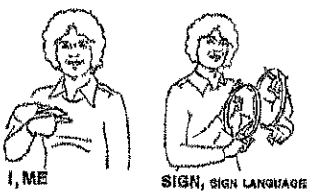
Ayin tí chí wal q´anjob´al
I speak Qanjobal

In kinch´aw k´uin ch´e quiche
I speak Quiche

Vorbesc româneşte
I speak Romanian

Я говорю по-русски
I speak Russian

Ја говорим српски
I speak Serbian



I speak Sign Language

Hovorím po slovensky
I speak Slovak

Waxaan ku hadlaa af-Soomaali
I speak Somali

Yo hablo español
I speak Spanish

Ninaongea Kiswahili
I speak Swahili

Jag talar svenska
I speak Swedish

Marunong akong mag-Tagalog
I speak Tagalog

พูดภาษาไทย
I speak Thai

Türkçe konuşurum
I speak Turkish

Я розмовляю українською мовою
I speak Ukrainian

میں اردو بولتا ہوں
I speak Urdu

Tôi nói tiêng Việt
I speak Vietnamese

Dwi'n siarad
I speak Welsh

Ndithetha isiXhosa
I speak Xhosa

איך רעד ייִדיש
I speak Yiddish

Mo nso Yooba
I speak Yoruba

Ngiyasikhuluma isiZulu
I speak Zulu

Department of Neighborhoods
Office of International Communities

EXHIBIT "C"

FORT BEND COUNTY JUSTICE CENTER

Interpreting Services Request Form

- ☐ **District Court No. _____**
- ☐ **County Court at Law No. _____**
- ☐ **Magistrate Court**

Language: _____ Cause # _____

Name of the interpreter: _____ License # _____

Date of service: _____ Start time: _____ End time: _____

Case Name: _____. This person is a:

- ☐ Defendant
- ☐ Party to a civil case
- ☐ Parent of a minor
- ☐ Witness
- ☐ Other. Please explain: _____

Type of assignment: _____ (plea, trial, motion, etc.)

- ☐ WILL require whispering equipment.
- ☐ WILL NOT require whispering equipment

Services requested by:

- ☐ Judge _____
- ☐ FBJC Staff _____
- ☐ Attorney_____
- ☐ Parties_____
- ☐ Pro se _____

Special Instructions: _____

_____

_____

_____

_____

FOR OFFICE USE ONLY:

Authorized by: _____ On: _____

Fort Bend County Courts
Language Access Director
301 Jackson Street
Richmond, TX 77469

LANGUAGE ACCESS COMPLAINT FORM

The Fort Bend County Courts at Law and District Courts are committed to providing language access for individuals who are unable to understand English. If you believe you have not been provided with reasonable or professional language access, please complete this form and submit it via email or by mail.

Person making the complaint (Please print):

NAME: _____

ADDRESS: _____

TELEPHONE NO.: DAY ( )_____ EVENING ( ) _____

CITY:_____ STATE: _____ ZIP: _____

FAX: ( ) _____ EMAIL: _____

_____

PLEASE DETAIL YOUR COMPLAINT BELOW (Please specify what occurred, the date, who was involved, the identity of any witnesses and their contact information and the existence of supporting documents. Please include copies of any relevant documents.)

Case No: _____ Location/Courthouse: _____

Room/Dept. No.: _____ Date:_____

_____
_____
_____
_____
_____
_____
_____
_____
_____

EXHIBIT "D"

To fully investigate your complaint, the Language Access Director (LAD) may need to contact you for additional information. Please note that if your complaint does not fall within LAD's jurisdiction, it will be forwarded to the appropriate department/agency for investigation. All complaints must be mailed via certified mail with return receipt requested to the address above, or may be emailed to LanguageAccess@fortbendcountytx.gov. The Court will acknowledge receipt of your complaint within 10 business days of receipt.

Signature: _____

Date: _____